

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUSTIN J. ALLEE,)	
)	
Petitioner,)	8:05CV229
)	
v.)	
)	
NEBRASKA ATTORNEY GENERAL, and)	ORDER
WARDEN OF USP-LEAVENWORTH,)	
)	
)	
Respondents.)	
_____)	

This matter is before the court on petitioner's counsel's motion to withdraw as attorney, Filing No. 61, and motion to extend time to file notice of appeal pursuant to Fed. R. App. P. 4(a)(5), Filing No. 62. The court finds the motion to withdraw as counsel shall be granted, and new counsel shall be appointed. The court further finds that the motion to extend time to file the notice of appeal shall be granted until thirty days from the date of this order.

THEREFORE, IT IS ORDERED:

1. The court grants the motion to withdraw as attorney, Filing No. 61, and James C. Webering is discharged as counsel in this case and has no further duty in representing the petitioner.
2. The court grants the motion for extension of time to appeal, Filing No. 62, and petitioner is granted thirty days from the date of this order to file his appeal with the Eighth Circuit Court of Appeals.
3. The court hereby appoints James E. Reisinger to represent petitioner in his appeal of this case.

DATED this 29th day of December, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge